IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MS JUSTICE G.ROHINI
WRIT PETITION NO : 14340 of 2004

Between:
Pittla Venkat Rao S/o Venkateswarlu
R/o Vemuluripadu Phirangipuram Mandal, Guntur District
..... PETITIONER

AND

1 The Superintendent Engineer, Rural Water Scheme, Irrigation Department Guntur
2 The Executive Engineer, Rural Water Scheme, Irrigation Department, Guntur
.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ or direction particularly in the nature of mandamus or any other appropriate Writ, directing the 1st and 2nd respondents made over and transfer the deposit (Public Contribution) of Rs. 6.5 lakhs lying in the account of HWSC Vemuliripadu Village, in account No. P13/2388, Date Bank of India, Repudi to the Account of VWSC of Vemuliripadu Village, in account No. C&I-135, State bank of India, Repudi

Counsel for the Petitioner: MR.V.R.AVULA

Counsel for the Respondent No.: GP FOR IRRIGATION & COMM AREA DEV.

The Court made the following :

ORDER:

Heard the learned counsel for the petitioner and learned Government Pleader for Irrigation appearing for the respondents.

This writ petition is filed seeking a writ of mandamus directing the respondents 1 and 2 to transfer the public contribution of Rs.6.5 lakhs, which is lying in HWSC Vemuliripadu village in account No.P13/2388, State Bank of India, Repudi to the account of VWSC of Vemuliripadu village, in account No.C & 1-135, State Bank of India, Repudi.

Learned counsel for the petitioner states that previously the villagers of Vemuliripadu village have formed into a committee and registered the same as Habitation Water and Sanitation Committee and a sum of Rs.6.5 lakhs was initially deposited in the State Bank of India, Repudi towards the contribution of beneficiaries in respect of Sector Reforms Pilot Project sanctioned by the Government of India. However, since the said committee could not complete the approved work, the committee was cancelled by the first respondent. However, the deposit of Rs.6.5 lakhs is still lying in the account of the said HWSC Committee. Subsequently, on 20-07-2004 an unanimous resolution was passed by the villagers to complete the aforesaid work through the newly formed committee by name Village Water and Sanitation Committee (VWSC). Consequently, an application dated 02-08-2004 has been made before the first respondent-

Superintendent Engineer, Rural Water Scheme, Irrigation Department, Guntur, requesting to transfer the public contribution of Rs.6.5 lakhs, which is lying in the account of Habitation Water and Sanitation Committee which is not existing to the account of the newly formed VWSC committee. The grievance of the petitioner is that the respondents have not considered his request so far, hence, this writ petition. The petitioner claims to be the Chairmen of the newly formed committee.

Having regard to the fact that the representation made by the petitioner is still pending before the first respondent-Superintendent Engineer, Rural Water Scheme, Irrigation Department, Guntur, without expressing any opinion with regard to the entitlement of the newly formed committee for transfer of the deposit to its account as sought by the petitioner, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation made by the petitioner, dated 02.08.2004 and to pass appropriate orders in accordance with law as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. No costs.

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23-09-2004

klp

To

1 The Superintendent Engineer, Rural Water Scheme, Irrigation Department Guntur

2 The Executive Engineer, Rural Water Scheme, Irrigation Department, Guntur

3 2CCs to G.P. for Irrigation and Command Area Development, High Court buildings, Hyderabad.(OUT).

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